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April 3, 2006

BY E-FILING

The Honorable Gregory M. Sleet  
U.S. District Court for the District of Delaware  
844 North King Street, Room 4209  
Lock Box 18  
Wilmington, DE 19801

Re: *Institute for Disabilities Research and Training, Inc. v. Wal-Mart Stores, Inc.*,  
C.A. No. 05-176-GMS

Dear Judge Sleet:

As discussed during the telephonic pretrial conference on March 31, 2006, the parties are submitting the enclosed supplement to Exhibit C to the parties' joint proposed Pretrial Order (the "Supplement"). The Supplement now notes each party's objections to the other party's exhibits.

Counsel are available if Your Honor requires additional information.

Respectfully,



Patricia R. Uhlenbrock (#4011)

cc: Gregory A. Inskip, Esq. (by e-filing)  
Harvey Greenberg, Esq. (by email)  
Clerk of the Court (by e-filing)

**EXHIBIT C TO PRETRIAL ORDER - SUPPLEMENT****IDRT'S TRIAL EXHIBITS**

| <b>TRIAL<br/>EXH.<br/>NO.</b> | <b>WITNESS</b> | <b>BEGINNING<br/>PRODUCTION<br/>NO.</b> | <b>DESCRIPTION</b>   | <b>OBJECTION<br/>OR<br/>STIPULATED</b> | <b>ADMITTED<br/>Y/N</b> |
|-------------------------------|----------------|---|--|--|-------------------------|
| PX 1                          |                | IDRT 1                                  | 06/14/01 EEOC Press Release  |  |                         |
| PX 2                          |                | IDRT 5                                  | 11/01/01 Cognitive Arts Consulting Agrmnt for Demonstration Project  |  |                         |
| PX 3                          |                | IDRT 11                                 | 11/29/01 Wal-Mart memo – <i>Key Points for Final Contract</i>  |  |                         |
| PX 4                          |                | IDRT 14                                 | 12/03/01 Memo – <i>ASL Translation Process</i>   |  |                         |
| PX 5                          |                | IDRT 17                                 | 12/12/01 Wal-Mart memo – <i>Kick-Off Meeting Agenda</i>  |  |                         |
| PX 6                          |                | IDRT 22                                 | 12/21/01 IDRT letter to its atty   |  |                         |
| PX 7                          |                | IDRT 27                                 | 01/03/02 Wal-Mart ASL Task Schedule/Phase I – first 15 CBLs  |  |                         |
| PX 8                          |                | IDRT 39                                 | 01/10/02 Letter to Wal-Mart (enclosing Draft 1)  |  |                         |
| PX 9                          |                | IDRT 40                                 | 01/10/02 Development Agreement – Draft 1   |  |                         |
| PX 10                         |                | IDRT 57                                 | 01/11/02 Letter to Wal-Mart (enclosing Draft 1)  |  |                         |
| PX 11                         |                | IDRT 58                                 | 02/01/02 E-mail from Wal-Mart to IDRT – contract changes   |  |                         |
| PX 12                         |                | IDRT 61                                 | 02/03/02 E-mail from IDRT to Wal-Mart – contract changes   |  |                         |
| PX 13                         |                | IDRT 62                                 | 02/15/02 Fax from Wal-Mart to IDRT atty and attached Master ASL Timeline   |  |                         |
| PX 14                         |                | IDRT 66                                 | 02/18/02 Letter from IDRT atty to Wal-Mart (enclosing Draft 2)   |  |                         |
| PX 15                         |                | IDRT 68                                 | 02/18/02 Development Agreement – Draft 2   |  |                         |
| PX 16                         |                | IDRT 87                                 | 02/19/02 E-mail from Cognitive Arts to Wal-Mart  |  |                         |
| PX 17                         |                | IDRT 88                                 | 03/19/02 Development Agreement – Draft 2 with Wal-Mart changes (black ink) and IDRT proposed changes (in red ink); and Fax |  |                         |

|       |  |          |  |  |  |
|-------|--|----------|--|--|--|
|       |  |          | cover sheet from Wal-Mart to IDRT atty   |  |  |
| PX 18 |  | IDRT 109 | 03/21/02 Letter from IDRT atty to Wal-Mart; and facsimile transmission report (enclosing Draft 3 redlined ("marked-up") version) |  |  |
| PX 19 |  | IDRT 113 | 03/21/02 Development Agreement – Draft 3 redlined ("marked-up") version  |  |  |
| PX 20 |  | IDRT 129 | 03/25/02 Letter from IDRT atty to Wal-Mart (enclosing Final Development Agreement)   |  |  |
| PX 21 |  | IDRT 130 | 03/25/02 Development Agreement – final version   |  |  |
| PX 22 |  | IDRT 140 | 04/26/02 E-mail from Wal-Mart to IDRT – 30 days notice canceling Phase II  |  |  |
| PX 23 |  | IDRT 150 | 07/23/02 E-mail from Wal-Mart to IDRT and Cognitive Arts re update-module development  |  |  |
| PX 24 |  | IDRT 151 | 08/05/02 E-mail from Wal-Mart to IDRT re site visit  |  |  |
| PX 25 |  | IDRT 152 | 07/16/02 E-Mail from IDRT to Wal-Mart re module development  |  |  |
| PX 26 |  | IDRT 153 | 08/09/02 E-mail from IDRT to Wal-Mart re site visit  |  |  |
| PX 27 |  | IDRT 154 | 01/23/03 Letter from IDRT atty to Wal-Mart (enclosing Final Invoice)   |  |  |
| PX 28 |  | IDRT 155 | 01/23/03 IDRT Final Invoice  |  |  |
| PX 29 |  | IDRT 171 | 01/29/03 Fax from Wal-Mart to IDRT atty and attachments re 3 modules   |  |  |
| PX 30 |  | IDRT 174 | 02/19/03 Certified letter from IDRT atty to Wal-Mart re three modules and attachments (enclosing Revised Final Invoice)          |  |  |
| PX 31 |  | IDRT 188 | 02/19/03 Revised Final Invoice   |  |  |
| PX 32 |  | IDRT 205 | 05/22/03 Certified letter from IDRT atty to Wal-Mart re Revised Final Invoice and Interest                                       |  |  |

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|----------|--|----------|--|--|--|
| PX<br>33 |  | IDRT 206 | 01/17/02-12/01/02 25 Interim Invoices          |  |  |
| PX<br>34 |  | IDRT 236 | Invoice Tracking Sheet with notes by IDRT atty |  |  |
| PX<br>35 |  | IDRT 239 | IDRT Spreadsheet 1 with notes by IDRT atty     |  |  |
| PX<br>36 |  | IDRT 242 | IDRT Spreadsheet 2 with notes by IDRT atty     |  |  |
| PX<br>37 |  | IDRT 245 | IDRT Spreadsheet 3 with notes by IDRT atty     |  |  |
| PX<br>38 |  | IDRT 248 | IDRT Spreadsheet 4 with notes by IDRT atty     |  |  |
| PX<br>39 |  | IDRT 250 | Script of Training Modules with IDRT codes     | Reserves<br>Objection –<br>has not seen<br>document<br>yet |  |
| PX<br>40 |  | IDRT 258 | CD & document files -<br>“Leadership Toolbox”* | Reserves<br>Objection –<br>has not seen<br>document<br>yet |  |
| PX<br>41 |  | IDRT 274 | CD & document files -<br>“L2L”*                | Reserves<br>Objection –<br>has not seen<br>document<br>yet |  |
| PX<br>42 |  | IDRT 296 | CD & document files -<br>“Leadership Lessons”* | Reserves<br>Objection –<br>has not seen<br>document<br>yet |  |
| PX<br>43 |  | IDRT 317 | CD & document files -<br>“Firepro 2”*          | Reserves<br>Objection –<br>has not seen<br>document<br>yet |  |

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|----------|--|----------|--|--|--|
| PX<br>44 |  | IDRT 359 | CD & document files -<br>"Firepro 1"*                  | Reserves<br>Objection –<br>has not seen<br>document<br>yet |  |
| PX<br>45 |  | IDRT 396 | Summary Exhibit –<br>Invoice/Payment/Interest<br>Table | Reserves<br>Objection –<br>has not seen<br>document<br>yet |  |

\* May be used as demonstrative evidence

## WAL-MART'S TRIAL EXHIBITS

| TRIAL EXH. NO. | WITNESS | PRODUCTION NO. | DESCRIPTION  | OBJECTION OR STIPULATED                              | ADMITTED Y/N |
|----------------|---------|----------------|--|--|--------------|
| DX 1           |         |                | Record of Deliverables (Wal-Mart spreadsheet to monitor progress on modification of CBL modules) | Objection - hearsay                                  |              |
| DX 2           |         |                | IDRT's Index of Documents Produced in Response to Wal-Mart's First Request for Documents         |  |              |
| DX 3           |         | IDRT 211       | IDRT Interim Invoice – Letter dated February 23, 2002  |  |              |
| DX 4           |         | IDRT 216       | IDRT Interim Invoice – Letter dated March 29, 2002   |  |              |
| DX 5           |         | IDRT 248-249   | IDRT Spreadsheet 4 with notes by IDRT attorney   |  |              |
| DX 6           |         | IDRT 217-218   | IDRT Interim Invoice – Letter dated April 4, 2002  |  |              |
| DX 7           |         | IDRT 220-221   | IDRT Interim Invoice – Letter dated April 12, 2002   |  |              |
| DX 8           |         | IDRT 236-238   | IDRT Invoice Tracking Sheet with notes by IDRT attorney  |  |              |
| DX 9           |         | W000003        | Wal-Mart Check Index   | Objection – hearsay (contains handwritten notations) |              |
| DX 10          |         | W000144-145    | Wal-Mart Spreadsheet Reflecting Wal-Mart's Payment of IDRT Invoices                              |  |              |